THE HON'BLE SRI JUSTICE K.C. BHANU

On Wednesday, the fourteenth day of September

Two thousand and five.

W.P. NO.24760 of 2004

Yelabolu Sambasiva Rao

…….Petitioners.

And

The Revenue Divisional Officer, Narasaraopet,

Guntur District and another.

…….Respondents.

O R D E R:

None appears for the petitioner on 29.08.2005 and therefore, posted to today. Today, also none appears for the petitioner.

The prayer sought in the writ petition filed by the petitioner is, to declare the action of the respondents in not allotting the essential commodities to the petitioner's Fair Price shop, as illegal.

A detailed counter affidavit has been filed by the Revenue Divisional Officer (1st respondent), stating that the petitioner had not approached the Revenue Divisional officer, Narasaraopet and he had not filed Demand Drafts

continuously for three months from August 2004 to October 2004 and notice was issued on 4.11.2004, directing the petitioner to offer explanation for non-filing of Demand Drafts, even then the petitioner did not submit his explanation within a stipulated time. But, belated explanation was given stating that he was not doing well. As the petitioner has not filed the Demand Drafts continuously for four months, the 2nd respondent submitted a report to the Revenue Divisional Officer, Narasaraopet, on 30.11.2004, to accord permission for allotment of essential commodities to the petitioner. It is further stated that the authorization of the petitioner has been suspended pending enquiry dated 18.5.2005 and the suspension order has been served on the petitioner on 10.6.2005.

It is not the case, where it can be said that the respondents' action is illegal or arbitrary in not allotting the essential commodities to the petitioner. Since the petitioner had not filed the Demand Drafts, the respondents are right in not allotting the essential commodities.

Therefore, the writ petition is devoid of merits and is dismissed. No order as to costs.

Justice K.C.BHANU.

14th September 2005.

BCS